

Merchantville, NJ December 14, 2020

A regular meeting of Borough Council was held on ZOOM at 7:30 PM, Monday, December 14, 2020. Mayor Ted Brennan presided. Pledge of Allegiance and Silent Prayer were observed for all of those struggling with Covid. Announcement was made that the meeting had been advertised in accordance with the regulations prescribed by the "Open Public Meetings Act".

ROLL CALL:

Council Present: Sean Fitzgerald, Andrew McLoone, Maria Nina Scarpa, Anthony Perno, Raymond Woods, and Mayor Edward Brennan. Attorney Timothy Higgins, CFO Denise Moules, Clerk Denise Brouse and Tom Leisse were present.

PUBLIC:

Marvin Gaskill- 102 E Chestnut Avenue, Regarding the Chestnut Avenue closure, the barriers that have been moved could become a problem, as well as the cut through access of vehicles that go onto Centre Street from the Rite Aid parking lot. Maybe more signage is needed along the street or consider making Alexander Avenue one way in the other direction.

Regarding the Eclipse extension of use, Parking could be an issue if it is not addressed, spots on Franklin are needed for the apartments and people start to use that street for lack of parking in the lot.

PUBLIC HEARING ORDINANCE 20-10 Bond Ordinance for Acquisition of Previously Owned Trash Truck

None

ADOPT ORDINANCE 20-10 Bond Ordinance for Acquisition of Previously Owned Trash Truck: On the motion of Mr. Woods and second of Mr. Fitzgerald, Council approved the following:

BOROUGH OF MERCHANTVILLE, NEW JERSEY

ORDINANCE 20-10

BOND ORDINANCE AUTHORIZING THE ACQUISITION OF A TRASH TRUCK FOR THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY; APPROPRIATING THE SUM OF \$200,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$190,000, MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Borough Council of the Borough of Merchantville, County of Camden, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the Borough of Merchantville, County of Camden, New Jersey ("Borough").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the Borough from all sources for the purposes stated in Section 7 hereof is \$200,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$190,000; and
- (c) a down payment in the amount of \$10,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, N.J.S.A. 40A:2-11.

Section 3. The sum of \$190,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$10,000, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the Borough in an amount not to exceed \$190,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the Borough in an amount not to exceed \$190,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell all or part of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$40,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the amount of available grants; the maximum amount of obligations to be issued for said purpose and the period of usefulness of said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
Acquisition of a Previously Owned Trash Truck, together with the acquisition of all materials and equipment and completion of all work necessary therefore or related thereto	\$200,000	\$10,000	\$190,000	5 years

Section 8. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 9. The supplemental debt statement provided for in Section 10 of the Local Bond Law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the Borough, as defined in Section 43 of the Local

Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$190,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. The full faith and credit of the Borough are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the Borough shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 11. The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 12. The Borough hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the Borough prior to the issuance of such bonds or bond anticipation notes.

Section 13. The Borough hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 14. The improvements authorized hereby are not current expenses and are improvements that the Borough may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 15. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of any such inconsistency.

Section 16. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Date of Introduction: November 23, 2020

Date of Final Adoption: December 14, 2020

APPROVAL OF MINUTES: On the motion of Mr. Woods and second of Mr. Perno Council approves the following minutes –

Caucus 9/28/20-10/26/20-11/23/20

ENGINEER REPORT:

515 Grove Street
Suite 1B
Haddon Heights, NJ 08035
T: 856-547-0505
F: 856-547-9174
www.pennoni.com

ENGINEER'S REPORT
FOR
MERCHANTVILLE BOROUGH COUNCIL
December 14, 2020

The items for the Council's consideration include the following:

- A. FY2018 NJDOT Municipal Aid Road Program (MERCH 18001)
 - 1. Close out documents have been executed by the Borough and have been transmitted to the NJDOT for final reimbursement. Documents have been received by DOT and are confirmed for processing.
- B. FY2019 NJDOT Municipal Aid Road Program (MERCH 19005)
 - 1. The concrete and paving work have been completed on Clifton and Ivins. My office is working with the Contractor to schedule the work and address remaining punch list items.
- C. FY2020 NJDOT Municipal Aid Road Program (MERCH 19006)
 - 1. My office has revised the plans and specs to address review comments by the NJDOT. My office will review the scope of the FY2020 grant with the funds received for FY2021 to potentially combine to increase the overall paving scope.
- D. Glenwood Avenue Drainage (MERCH 19007)
 - 1. My office is working with the NJEPA for the submission of environmental review documents for the design of the storm water pump station. My office has received preliminary design comments from NJ Transit Rail Operations.
- E. General Engineering (MERCH 20001)
 - 1. My office is assisting the Borough with recreational improvements at the Community Center.
 - 2. My office is assisting the Borough with coordination of County road improvement projects in the Borough.
 - 3. My office is assisting the Borough with updating the priority list of streets to be rehabilitated within the Borough.
 - 4. My office is assisting the Borough with reviewing stormwater issues within the Borough.
 - 5. My office is assisting the Borough with reviewing sewer connections as needed.
 - 6. My office is assisting the Borough with coordination of road opening permits and street restoration as needed.
 - 7. The Borough has received notification from the NJDOT that Merchantville has been selected to receive funds for the FY2021 Municipal Aid Program.

CORRESPONDENCE: DOT Roads program award letter, CARES Funds of \$33,000, JIF Safety Award

COUNCIL REPORTS:

Mr. McLoone – Police answered 928 calls and 40 traffic tickets. Most trainings have been canceled this year. The department has enough PPE supplies at this time. Mayor and council promoted Matthew Rulli and swore him in tonight in front of Borough Hall, The police lodge showed support and attended as well as members of the community. Two officers have been selected for the police positions and will soon be hired. The police contract is on the agenda later during this meeting.

Mayor- It was a great honor to swear in Matt Rulli this evening, we shut down Maple Avenue and held a special event during this difficult time.

The Diversity committee held a second meeting and is setting up a plan.

Mr. Woods- A second forum meeting was held via zoom for the diversity committee, they discussed how the police interact in the community. They are discussing events that can be held in the community and work with the public events committee.

Ms. Scarpa – Court \$3,807.00, 135 added 159 disposed. 47% less than last year. Two Court session by zoom. Shade Tree Commission – trees listed by Arbor Pro to be removed have been tagged and the commission is working with Kevin Patti to have the tree company remove them. The commission is building the volunteer committee but still needs more volunteers.

Consider a study for complete streets on Maple Avenue in the future.

Mr. Fitzgerald- Fire Department answered 21 calls for the month and drills were conducted. December 19th the fire department will take Santa around town. The tree lighting was this past Friday and was streamed on the Facebook page. OEM Covid numbers aren't looking good but the vaccine is on the way and that is good news. The business and professional association is hosting a gingerbread event in Merchantville.

Mr. Perno- Bill are on the agenda tonight and grants are being brought in by resolution. Abandoned property update, 29 abandoned, with 24 vacant and 5 abandoned. Four of the properties are commercial and three are multi family. A speed study for Maple Avenue is on the agenda tonight to review the reduction in speed on Maple Avenue.

Ms. Moules – Completing the 2020-year end wrap up and the budget process will begin in the new year.

Mayor Brennan provided a public works report in Mr. Sperrazza's absence, the second reading for the trash truck is on the agenda this evening as well as a resolution to extend the existing solid waste contract that the Borough has with Gold Medal. We are working on collection as well as staffing options at the public works department.

OLD BUSINESS:

DISCUSSION – Police Contract

Mr. McLoone thanked the Mayor, the police board and Mr. Perno for working together to agree on this contract. It will be ready for the first meeting in January.

DISCUSSION – Chestnut Avenue permanent street closure

Council would like to review the possibility of going out for an RFP for a study to see if a roundabout and permanent closure of Chestnut Avenue will make the road and area safer. A more permanent type of fencing and blocks would be needed. Would have to review with first responders and for impact at the senior housing location. Will discuss with Mara, who is a planner and Tom our engineer.

NEW BUSINESS:

DISCUSSION -Extension of premises for Eclipse
Council has given the blessing for the extension of premises for Eclipse, a hold of rent was set during the period of Covid and consideration for extension of rent and the use occupancy agreement renewal will be worked on and ready for the January meeting. A modest rent increase will be discussed.

RESOLUTIONS to be read by consent agenda: On the motion of Mr. Perno and second of Mr. McLoone, Council approved the following resolutions:

R20-137

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY
OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING THE
REFUND OF PAYMENT OF RENTAL PAYMENT**

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Merchantville that the amount due for a rental inspection was paid twice by the owner and therefore be refunded to the below person(s).

	<u>Name/Address</u>	<u>Amount</u>
The property owner is:	17 E. Maple Ave, Blk: 33, Lot 13	\$900.00
Make Check Payable to:	Friedman Maple Partners, LLC, 40 E. Clementon Road, Suite 1, Gibbsboro, NJ 08026	

R20-138

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN
AND STATE OF NEW JERSEY AUTHORIZING 2020 BUDGET TRANSFERS**

WHEREAS, there are certain 2020 Budget Appropriations of the Borough of Merchantville with balances insufficient to meet requirements for operating Borough Affairs as indicated on the attached schedule; and

WHEREAS, there are 2020 Budget Appropriations with unexpended balances that are not needed for such purposes; and

WHEREAS, Revised Statutes 40A:4-59 provides for Transfers to those accounts having insufficient balances:

<u>Operating Budget Description</u>	<u>Account Number</u>	<u>Transfer Out</u>	<u>Transfer In</u>
Solid Waste Disposal/Tipping	0-01-32-837-251		18,000.00
Telecom	0-01-31-450-000		1,000.00
Gasoline	0-01-31-460-000	19,000.00	
	TOTAL	19,000.00	19,000.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Merchantville that the following transfers are hereby approved as indicated on the above schedule.

R20-139

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY CANCELING
2020 BUDGET APPROPRIATIONS WITH UNEXPENDED BALANCES**

WHEREAS, the attached schedule indicates those budget accounts with unexpended balances; and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Current Fund Surplus;

Employee Health Insurance	0-01-23-733-000	30,000.00
Police Vehicle	0-01-25-745-265	31,000.00
Gasoline	0-01-31-460-000	2,000.00
Workers Compensation	0-01-23-732-000	10,000.00
Liability Insurance	0-01-23-730-000	9,500.00
Electricity	0-01-31-430-000	15,000.00
Police Overtime	0-01-25-745-108	18,000.00
	TOTAL	115,500.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Merchantville, County of Camden, New Jersey, that the attached listed unexpended balances of the Current Fund are hereby canceled.

R20-140

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY REQUESTING APPROVAL OF ITEMS OF REVENUE

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an appropriation for the equal amount;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Merchantville, in the County of Camden, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2020 in the sum of \$ **242,966.61**, which is now available as a revenue from the State Pursuant to the provision of the statute, and

BE IT FURTHER RESOLVED that the like sum of \$ **242,966.61** is hereby appropriated under the caption Special items of Recreation; and

BE IT FURTHER RESOLVED that the above is a result of a donation of \$ **242,966.61** from:

2020-2021 Municipal Alliance Grant	7,966.61
DOT Fiscal Year 2021 Municipal Aid Program- 2021 Road Project	235,000.00
TOTAL	242,966.61

R20-141

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY TO EXTEND THE CONTRACT FOR SOLID WASTE AND RECYCLING IN THE BOROUGH OF MERCHANTVILLE

WHEREAS, the Borough Council of the Borough of Merchantville went out to bid, signed contracts and completed the term of the contract for Solid Waste and Recycling in the Borough of Merchantville; and

WHEREAS, the Borough Council desires to extend the Solid Waste and Recycling contract for six months;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Merchantville is extending the five year contract for the collection of solid waste and recycling to Gold Metal, 1770 Hurffville Road, Sewell, NJ 08080 and the Borough of Merchantville for an additional (6) six-month period at a total cost not to exceed \$123,371.00 for that (6) six-month period;

I, Denise Moules, Finance Officer for the Borough of Merchantville hereby certify that funds are available

for extension of this contract for a six-month period in _____ account number:

R20-142

RESOLUTION OF THE BOROUGH OF MERCHANTVILLE, COUNTY OF CAMDEN AND STATE OF NEW JERSEY AUTHORIZING ENGINEER TO PREPARE A STREET STUDY OF MAPLE AVENUE

WHEREAS the Borough of Merchantville desires to complete a study to determine whether Maple Avenue speed limit can be reduced; and

WHEREAS the Borough of Merchantville requested quotes and desires to have, CME Engineering prepare this study;

NOW, THEREFORE, IT IS HEREBY RESOLVED that CME Engineering, will provide this service to the Borough within 60 days of the executed agreement, in the amount not to exceed \$1,800.00.

I, Denise Moules, Finance Officer for the Borough of Merchantville hereby certify that funds are

available in account _____.

FINANCIAL REPORTS:

PAYMENT OF BILLS

On the motion of Mr. Perno and second of Ms. Scarpa council approved the bills list:

R20-130

RESOLUTION

RESOLVED that the Report of the Department of Accounts and Auditing be accepted and spread upon the minutes and the Treasurer be is hereby authorized to pay bill approved therein.

CURRENT FUND		REVENUE	BUDGET
CHECKS CURRENT FUND	2019 BUDGET		
	2020 BUDGET	\$ 85.00	\$ 98,666.48
	GRANTS		\$ 142,501.27
	PFRS		
	PERS		
	DEBT SERVICE		
	BOARD OF EDUCATION*		
	MEDICAL DEDUCTIBLE		
	CAMDEN COUNTY		

WIRE TRANSFERS PAYROLL	11/20/20-12/4/20			139,939.20
WIRES / MANUAL CHECKS			\$	6,310.90
TOTAL CURRENT		\$	85.00	\$ 247,478.65
SEWER UTILITY				
CHECKS SEWER FUND	2020 BUDGET		\$	101,701.66
	2019 BUDGET		\$	-
	DEBT SERVICE			
WIRE TRANSFERS PAYROLL	11/20/20-12/4/20			\$7,107.98
WIRE NJEIT LOAN				
WIRES /MANUAL CHECKS				
TOTAL SEWER		\$	-	\$ 108,809.64
GENERAL CAPITAL FUND				
CHECK CAPITAL FUND			\$	19,062.53
MANUAL CHECK			\$	3,599.91
WIRE TRANSFERS PAYROLL				
TOTAL CAPITAL		\$	-	\$ 22,662.44
TRUST FUND				
CHECK TRUST OTHER FUND			\$	4,859.62
REDEVELOPER TRUST				
WIRE TRANSFERS PAYROLL	11/20/20-12/4/20			16,797.57
WIRES / MANUAL CHECKS				3,500.00
TOTAL TRUST		\$	-	\$ 26,172.01
SEWER CAPITAL FUND				
CHECK SEWER CAPITAL				
MANUAL CHECKS				
WIRE TRANSFERS PAYROLL				
TOTAL SEWER CAPITAL		\$	-	\$ -
ANIMAL TRUST FUND				
ANIMAL TRUST CHECK				
TOTAL ANIMAL TRUST		\$	-	\$ -
TOTAL BILL LIST & MANUAL CHECKS/WIRE		\$	85.00	\$ 405,122.74
GRAND TOTAL			\$	405,207.74

ANNOUNCEMENTS: Lat meeting of 2020, have a safe and healthy holiday

PRIVATE SESSION:

ADJOURNMENT: On the motion of Mr. Perno and second of Ms. Scarpa the meeting was adjourned at 9:02 P.M.

**ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED
OFFICIAL ACTION MAY BE TAKEN AT THIS MEETING**

AGENDA IS SUBJECT TO CHANGE

Denise Brouse, Borough Clerk